

First Named: Dan Matlock  
Title: Rotational Light Emitting Display Apparatus  
Serial No: 10/775,694  
Docket No: Matlock.001  
March 11, 2008  
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## **REMARKS/ARGUMENTS**

Reconsideration of this application, in view of the foregoing amendment and the following remarks and arguments, is respectfully requested.

Claims 21-40 are currently pending in this application. By the foregoing amendment, claims 21-39 have been canceled, claim 40 has been revised, and claims 41-51 are newly presented.

The following rejections were set forth in the office action:

1. Claims 21-26, 28-35, 37, 39 and 40 stand rejected under 35 USC §102(b) as being anticipated by U.S. Patent No. 6,492,963 to Hoch (hereinafter “Hoch”);
2. Claim 38 stands rejected under 35 USC §103(a) as being unpatentable over Hoch; and
3. Claims 27 and 36 stand rejected under 35 USC §103(a) as being unpatentable over Hoch in view of USPGPUB No. 2003/0151924 to Gloodt (hereinafter “Goodt”).

Regarding the amendment to claim 40, these amendments are made solely to clarify wording and are not made to overcome any of the rejections set forth in this office action.

Regarding the anticipation rejections of claims 21-26, 28-35, 37, 39 and 40, these rejections are respectfully traversed. Claims 21-26, 28-35, 37 and 39 are canceled without prejudice. In dependent claim 40 recites an invention which is not described or suggested in the cited Hoch reference. Specifically, claim 40 recites one or more image maps of an image to be displayed, each image map including an array of plurality of columns and a microcontroller attached to each of said plurality of light emitting

elements, said microcontroller receives said signal and operates to select an image map and a column from said selected image map in accordance with said signal and configured to illuminate one or more of said light emitting elements in accordance with said selected image map, said selected column and said signal.

In contrast, Hoch simply describes a light emitting display apparatus having a number of patterns, images, and messages stored in a microprocessor for display using an array of lights (See Figs. 1, 4a, Col. 3, lines 8-21 and lines 64-67, and Col. 4, 20-38). It is deficient in its disclosure to include one or more image maps of an image to be displayed, each image map including an array of plurality of columns. Further since Hock is deficient in this manner, the microprocessor of Hoch does not operate to select an image map and a column from the selected image map in accordance with the signal and is not configured to illuminate one or more of the light emitting elements in accordance with the selected image map, the selected column and the signal.

It is important to note, the one or more image maps of an image to be displayed, and the plurality of columns of each image map is not same as the array of lights as described in Hoch, and rather the combination of an image map and the image map including a plurality of columns is used by the microcontroller in selectively illuminating the plurality of light emitting elements on the support that are arranged in one or more generally parallel columns in the present application.

Thus, Hoch does not disclose the invention claimed by the present applicants, and the office is respectfully requested to withdraw the anticipation rejection of claim 40.

Regarding the obviousness rejections of claims 27, 36 and 38, these rejections are respectfully traversed. Claims 27, 36 and 38 are canceled without prejudice.

Regarding newly presented claims 41-47, at least by the way of independent claim 40, these claims are patentable. Additionally, each claim recites additional features

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that are not disclosed or made obvious by Hoch or Goodlt taken singularly or in combination.

Regarding newly presented claims 48-51 these each are patentable at least by way of independent claim 48 which recites the features of one or more image maps of an image to be displayed, each image map including an array of plurality of columns; and a microcontroller attached to each of said plurality of light emitting elements, said microcontroller receiving said signal and operating to select an image map and a column from said selected image map in accordance with said signal, and operating to define delay period in accordance with said signal, said microcontroller configured to illuminate one or more of said light emitting elements in accordance with said selected image map, said selected column, said signal and said delay period.

In view of the above, it is respectfully submitted that:

Claims 40-51 recite distinctions that are of patentable merit under 35 USC §102(b) and 35 USC §103(a) for the independent claim and thus for each dependent claim as well. Claims 40-51 are in condition for allowance. Reconsideration and withdrawal of the rejections are requested. Allowance of claims 40-51 at an early date is earnestly solicited.

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The Examiner is hereby requested to telephone the undersigned agent of record at 727-230-4949 if such would further or expedite the prosecution of the instant application.

Respectfully submitted,

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